time provided by the Bankruptcy Act for the filing of proofs of claim.

Hutchinson vs. Otis, etc., 190 U. S. 552.

Similarly, where amendments to originally defective pleadings are filed, for the purpose of determining whether the party has pleaded within rule, the time is measured, not to the time of the filing of the amendment, but to the time of the original, the amendment being treated as relating back to and as of the date the original pleading was filed.

Hutchinson vs. Otis, *supra.*

The fact that the respondent actually supplied a verification to its return takes out of the case the point made by counsel for the petitioner regarding the omission of the oath to the return and the argument in support of their contention appearing on pages 11 and 12 of the brief.

Counsel for the petitioner are therefore seeking a review of the decision of a question not necessarily involved here.

CONCLUSION

For the reasons above stated, it is respectfully submitted that the petition for the writ of *certiorari* should be denied.

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